



DATE FILED 3-30-2022
APPLICATION NUMBER 2022-759
For office use only

**APPLICATION FOR CHANGE IN ZONING CLASSIFICATION
OR CHANGE IN CONDITIONS
(SEE FILING INSTRUCTIONS)**

TO: Town of Matthews Board of Commissioners
Town of Matthews Planning Board
232 Matthews Station Street
Matthews, North Carolina 28105-6713

Ladies and Gentlemen:

Your consideration of this petition is requested for:

- ☒ A change in zoning classification of the property hereinafter described; or
☐ A change in conditions to an existing conditional zoning plan.

Tax parcel number(s): 215-081-13 and 215-081-33

Address of property: None

Location of property: South of Matthews-Mint Hill Road, north of the Mecklenburg County Sportsplex and generally between the Crestdale community and Brigman Road

Title to the property was acquired on September 6, 1980 (215-081-13) and September 21, 1976 (215-081-33)
and was recorded in the name of *Brigman Family Farm Properties, a North Carolina general partnership
whose mailing address is c/o Ms. Sybil Brigman, 88 Gracelyn Road, Asheville, NC 28804

*** Title is vested in P.F. Brigman Properties, LLC (successor by name change to Brigman Family Farm Properties)**

The deeds are recorded in Book 4341 and Page 865 in the office of the Register of
3885 060

Deeds for Mecklenburg County.

Present zoning classifications: R-15 Requested zoning classification: ENT

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number

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See Exhibit A Attached Hereto

TAX PARCEL

TAX PARCEL

PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

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OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

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SUMMARY OF THE REZONING PROCESS

APPLICANT: Fill in dates for each action below before filing application. Refer to the current Planning Department rezoning schedule for correct dates.

PROPERTY OWNERS: These dates are assumed to be correct at the time of zoning application submittal but are subject to revision. Contact the Planning Department (704-847-4411 or email srobertson@matthewsnc.gov) for verification.

Application submitted to and received by Town Planning office March 30, 2022

Town Board of Commissioners formally accepts application and sets Public Hearing date April 11, 2022

Notices sent via mail to affected/adjacent property owners on or before May 30, 2022

Public hearing: applicant gives explanation of why s/he wishes to have property rezoned and neighboring owners may ask questions and voice opinions on the proposed zoning June 13, 2022

Town Planning Board reviews request, information, and comments from the public hearing, then makes a recommendation to the Board of Commissioners on whether to approve or deny the request June 28, 2022

Town Board of Commissioners approves or denies application July 11, 2022

The Matthews Board of Commissioners General Procedures Policy on Zoning and Development Case Appearances Before the Town Board, initially adopted October 8, 2018, explains the Board of Commissioners' expectations that this application is ready for public review and action, and that the above schedule can be followed without delays. By signing below, the property owner(s) and all other parties involved in preparing and presenting this zoning application indicate they have read and understand their responsibility to submit complete and accurate documents in a timely manner throughout the review process. Late or missing (new or revised) documents may limit the applicants opportunity to present updated information, which may result in an unfavorable decision.

Signature of *Phil Brigman* P. F. Brigman Properties, LLC 3-28-2022
☒ Property Owner
☐ Agent for Property Owner
☐ Other (please identify) _____
 Date

Signature of _____
☐ Property Owner
☐ Agent for Property Owner
☒ Other (please identify) Petitioner
 Date

Signature of _____
☒ Agent for Property Owner
☐ Other (please identify) _____
 Date

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Signature of ☒ Property Owner _____ Date _____
☐ Agent for Property Owner _____
☐ Other (please identify) _____

W. [Signature] 3/25/22
 Signature of ☐ Property Owner _____ Date _____
☐ Agent for Property Owner _____
☒ Other (please identify) Petitioner _____

J. [Signature] 3/29/22
 Signature of ☐ Property Owner _____ Date _____
☒ Agent for Property Owner _____
☐ Other (please identify) _____

*[Signature Page of Property Owner, P.F. Brigman Properties, LLC, to Rezoning Application
filed by Proffitt Dixon Partners, LLC]*

P.F. BRIGMAN PROPERTIES, LLC

By: Sybil Brigman

Name: Sybil Brigman

Title: Manager

Mailing Address:

c/o Ms. Sybil Brigman
88 Gracelyn Road
Asheville, NC 28804

Phone: 828-250-0069

Email: sabrigman@charter.net

[Signature Page of Petitioner to Rezoning Application filed by Proffitt Dixon Partners, LLC]

PROFFITT DIXON PARTNERS, LLC

By: Wyatt Dixon

Name: WYATT DIXON

Title: MANAGER

Mailing Address:

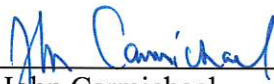
c/o Wyatt Dixon
Proffitt Dixon Partners, LLC
1420 East 7th Street, Suite 150
Charlotte, NC 28204

Phone: 704-817-9126

Email: wyatt@proffittdixon.com

[Signature Page of Petitioner's Agent to Rezoning Application filed by Proffitt Dixon Partners, LLC]

ROBINSON BRADSHAW & HINSON, P.A.


By: John Carmichael

Agent: John Carmichael

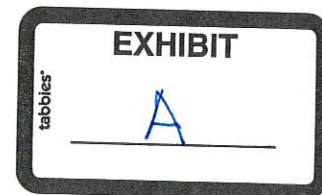
Mailing Address:

101 N. Tryon St., Suite 1900
Charlotte, NC 28246

Phone: (704) 377-2536

Email: jcarmichael@robinsonbradshaw.com

TAXID	OWNERLASTN	OWNERFIRST	COWNERFIRS	COWNERLAST	MAILADDR1	MAILADDR2	CITY	STATE	ZIPCODE
21503219	Crestdale Crossing Homeowners Association Inc.				4957 Albemarle Road		Charlotte	NC	28205
21503270	Crestdale Crossing Homeowners Association Inc.				4957 Albemarle Road		Charlotte	NC	28205
21503269	Pool	Valerie S.			1053 Crestdale Crossing Drive		Matthews	NC	28105
21503268	SWE 2017 1 Borrower LP		c/o Invitation Homes		1717 Main Street	Suite 2000	Dallas	Texas	75201
21503267	Dillingham	Richard F.	Judy A.	Dillingham	6422 Laurel Valley		Dallas	Texas	75248
21503266	Phillip	Neal J.	Ly T.	Phillip	24754 Framingham Drive		Westlake	Ohio	44145
21503265	1037 Crestdale Crossing Matthews LLC				129 Thornton Road		New Boston	NH	3070
21503264	Vergara	Dana Bailey	Michael Allen	Osborne	1033 Crestdale Crossing Drive		Matthews	NC	28105
21503263	Galligan	Sarah			1029 Crestdale Crossing Drive		Matthews	NC	28105
21503262	Mountaintop NC234 LLC				30856 Janlor Dr		Westlake	CA	91362
21503261	Rosenbaum	David	Paula A.	Rosenbaum	708 Quintan Street		Summerville	SC	29483
21503260	Gorecki	Reid			9 Sachem Street		East Rockaway	NY	11518
21503259	Patrick	Brenda M. Delugo	Elena M.	Patrick	1013 Crestdale Crossing Drive		Indian Trail	NC	28079
21503258	Kobylas	Hanna			1009 Crestdale Crossing Drive		Matthews	NC	28105
21503257	Schill	Kathryn L.			1005 Crestdale Crossing Drive		Matthews	NC	28105
21503210	Matthews School Road Developers LLC				2805 Julian Glen Circle		Waxhaw	NC	28173
21503248	Crestdale Crossing Homeowners Association Inc.				4957 Albemarle Road		Charlotte	NC	28205
21503222	Transcontinental AC US LLC	Attn: Sam Bendavid			1 Place Ville Marie STE	3240 Montereal	Charlotte	Canada	H3B 2B6
21508136	1100 Matthews Mint Hill LLC				1420 E 7th St Suite 150		Charlotte	NC	28204
21508129	istar Bowling Centers II LP		c/o AMF Bowling Centers Inc.		1420 E 7th St Suite 150		Charlotte	NC	28204
21508141	USCMF Briley LP				7313 Bell Creek Road		Mechanicsville	VA	23111
21508139	USCMF Briley LP				333 West Wacker Dr	28th Floor	Chicago	IL	60606
21508143	Brigman Family Farm Properties		c/o Cybil Jones		333 West Wacker Dr	28th Floor	Chicago	IL	60606
21508142	Mecklenburg County		c/o Real Estate Finance Dept		88 Gracelyn Road		Asheville	NC	28804
21508115	Mecklenburg County		c/o Real Estate Finance Dept		600 E 4th Street	11th Floor	Charlotte	NC	28202
21508113	Brigman Family Farm Properties		c/o Cybil Jones		600 E 4th Street	11th Floor	Charlotte	NC	28202
					88 Gracelyn Road		Asheville	NC	28804



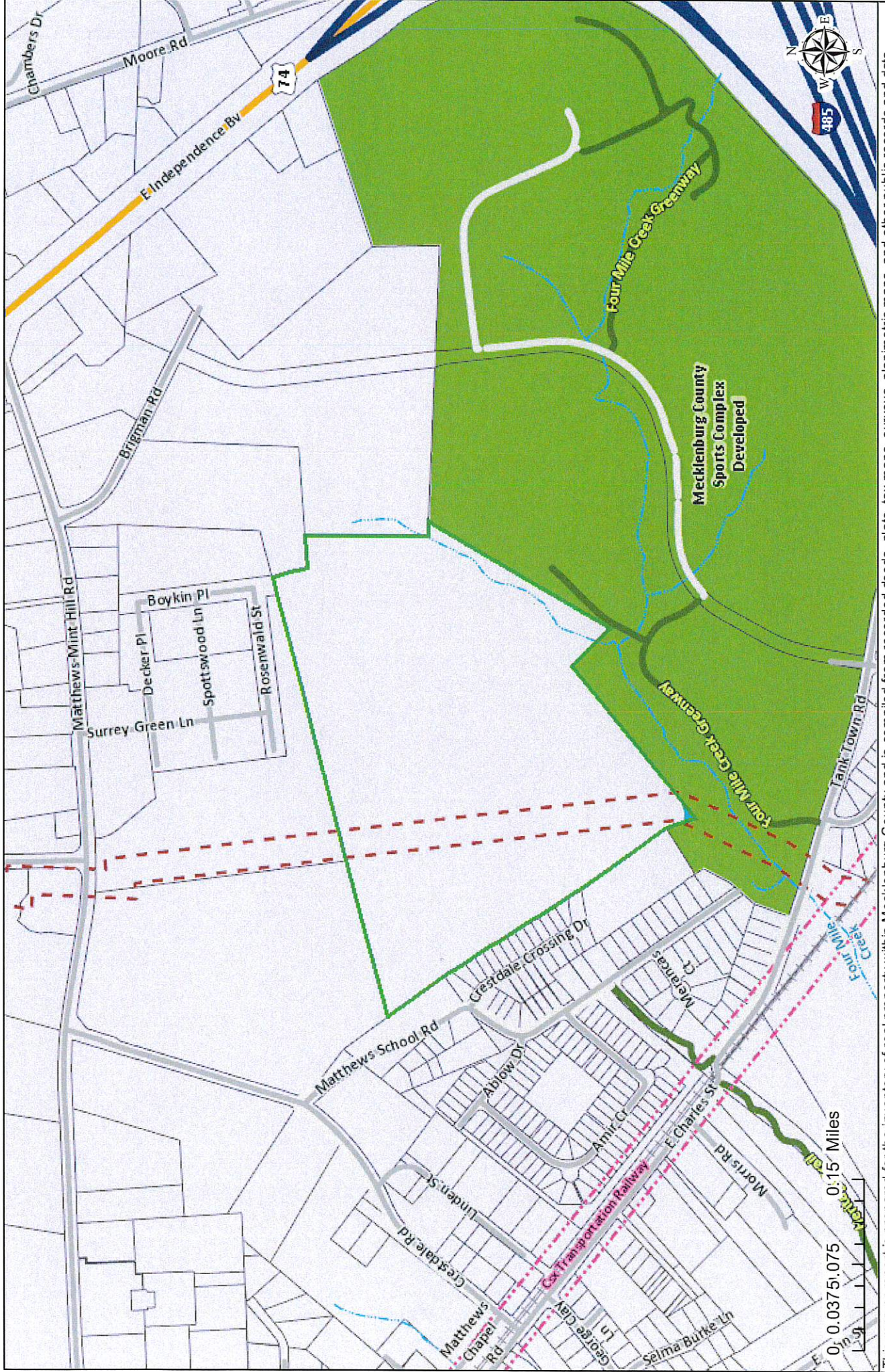
2022-759

TAXPID	OWNERLASTN	OWNERFIRST	COWNERFIRS	COWNERLAST	MAILADDR1	MAILADDR2	CITY	STATE	ZIPCODE
21508128	Elevation Church				11416 E Independence Blvd Suite N		Matthews	NC	28105
21508130	Brigman Family Farm Properties	c/o Cybil Jones			88 Gracelyn Road		Asheville	NC	28804
21508129	Istar Bowling Centers II LP	c/o AMF Bowling Centers Inc.			7313 Bell Creek Road		Mechanicsville	VA	23111
21508125	Woodspring Suites Charlotte Matthews LLC				8621 E 21st Street	Suite 200	Wichita	KA	67206
21508122	LJ Partnership	c/o Southend Properties			1800 Camden Road	Suite 200	Charlotte	NC	28203
21508132	Dallas Development LLC				5800 Old Pineville Road	Suite 201	Charlotte	NC	28203
21508143	Brigman Family Farm Properties	c/o Cybil Jones			88 Gracelyn Road		Asheville	NC	28804
21508142	Mecklenburg County	c/o Real Estate Finance Dept			600 E 4th Street	11th Floor	Charlotte	NC	28202
21508115	Mecklenburg County	c/o Real Estate Finance Dept			600 E 4th Street	11th Floor	Charlotte	NC	28202
21508133	Brigman Family Farm Properties	c/o Cybil Jones			88 Gracelyn Road		Asheville	NC	28804

Polaris 3G Map – Mecklenburg County, North Carolina

2022-759

Date Printed: 3/10/2022 2:59:06 PM



This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the abovementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

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2022-759

ROBINSON
BRADSHAW

jcarmichael@robinsonbradshaw.com
704.377.8341 : Direct Phone
704.373.3941 : Direct Fax

March 30, 2022

BY HAND DELIVERY

Mr. Jay Camp, Planning Director
Town of Matthews
232 Matthews Station Street
Matthews, NC 28105

Re: Rezoning Application filed by Proffitt Dixon Partners, LLC Requesting the Rezoning of an Approximately 66.85 Acre Site Located South of Matthews-Mint Hill Road, North of the Mecklenburg County Sportsplex and Generally Between the Crestdale Community and Brigman Road (Tax Parcel Nos. 215-081-13 and 215-081-33)

Dear Jay:

I hope this letter finds you well.

This letter is being submitted with the above-captioned Rezoning Application pursuant to the requirements of Paragraph 12 of the Instructions for Filing an Application for a Change in a Zoning Classification or Change in Conditions (the "Instructions"). As you are aware, Paragraph 12 of the Instructions requires the Applicant to submit documentation regarding the land use recommendations for the subject site as set out in adopted land use plans and a statement as to how this rezoning proposal complies with such recommendations.

The subject site contains approximately 66.85 acres and is located south of Matthews-Mint Hill Road, north of the Mecklenburg County Sportsplex and generally between the Crestdale community and Brigman Road (Tax Parcel Nos. 215-081-13 and 215-081-33). The site is currently zoned R-15.

Pursuant to the above Rezoning Application, the Applicant is requesting the rezoning of the site to the ENT zoning district. The purpose of this rezoning request is to accommodate a multi/mixed use development on the site that would be comprised of a maximum of 814 multi-family dwelling units, a maximum of 200 one-family attached dwelling units, a maximum of 237,750 square feet of gross floor area devoted to non-residential uses permitted in the ENT

zoning district and a maximum of 120 hotel rooms (and any accessory uses relating to a hotel use). The proposed development is more particularly described and depicted on the Conditional Rezoning Plan associated with this Rezoning Application, and the proposed development would be an urban, pedestrian friendly development. This 66.85 acre site is a portion of the area that is envisioned by the Town to ultimately be located in the ENT zoning district.

The Entertainment District Small Area Plan adopted by the Board of Commissioners on December 8, 2014 (the "Plan") provides land use and design recommendations for the site and the ENT zoning district. On Page 142 of the Plan, the Plan provides that "the Entertainment District shall incorporate spaces for permanent residences, transitory housing, employment opportunities, indoor and outdoor recreation, shopping, dining, and daily living services in a compact pedestrian-friendly neighborhood." In the Applicant's view, the proposed development would satisfy this statement because the Conditional Rezoning Plan provides for a mixture of residential and non-residential uses on the site, and the Conditional Rezoning Plan depicts a compact pedestrian-friendly development.

The Plan sets forth multiple guiding principles for the ENT zoning district, and this proposed development furthers these guiding principles in the Applicant's view. The Plan calls for an urban scale neighborhood. The proposed development, as seen from the Conditional Rezoning Plan, would be a dense, urban scale neighborhood with multi-story buildings that would front and be pulled up to the relevant streets.

The Plan calls for a mixture of uses on the site to serve the residents living on the site and visitors to the site. As noted above, the Applicant's Conditional Rezoning Plan provides for a mixture of residential and non-residential uses on the site.

The Plan recognizes that a potential transit station could be located in close proximity to the site. The density proposed under the Conditional Rezoning Plan would help support this potential transit station.

The Plan speaks to the creation of a walkable, pedestrian-friendly development on the site. The Applicant's proposed development would be a walkable, pedestrian-friendly development. The pedestrian environment would be enhanced through the location of the buildings next to the streets, the exterior design of the buildings and the pedestrian improvements.

The proposed development would serve as an economic engine for the surrounding area, increase the tax base and add value to the already successful Sportsplex. The proposed development could provide dining and retail options for visitors to the Sportsplex, and the adjacent Sportsplex would be beneficial to the residents living on the site.

In summary, the Applicant is of the opinion that the proposed development satisfies the overall intent of the Plan and the policies adopted by the Board of Commissioners with respect to the ENT zoning district.

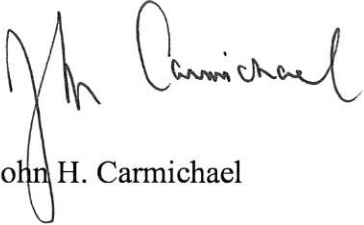
Mr. Jay Camp, Planning Director
March 30, 2022
Page 3

Jay, the Applicant and I look forward to working with you and the Town on this rezoning request.

Should you have any questions or comments, please do not hesitate to call me.

Sincerely,

ROBINSON, BRADSHAW & HINSON, P.A.

A handwritten signature in black ink, appearing to read "John H. Carmichael". The signature is written in a cursive style with a large, stylized "J" and "C".

John H. Carmichael